

S/N 09/202,634

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: SCHUBERT ET AL. Examiner: J. EINSMANN
Serial No.: 09/202,634 Group Art Unit: 1634
Filed: MARCH 3, 1999 Docket No.: 9725.13USWO
Title: OZONE-INDUCED GENE EXPRESSION IN PLANTS

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 17, 2003.

By: *Patricia Cygan*
Name: Patricia Cygan

NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. § 1.191, Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final rejection of pending claims 1-4, 8-11, 15, 18-21, 23, 27, 33 and 38-44 of the above-identified application, as set forth in the Office Action mailed October 17, 2002. For purposes of Appeal, the status of the claims is as follows:

Claims rejected to: 1-4, 8-11, 15, 18-21, 23, 27, 33 and 38-44

Claims objected to: 8-10, 27, 33 and 44

Our check in the amount of \$320.00 is enclosed to cover the required fee for filing this Notice of Appeal as set forth under 37 C.F.R. § 1.17(b).

Also enclosed is a Petition for a further two-month extension of time to respond to the final rejection, thereby extending said period of response from February 17, 2003 to April 17,

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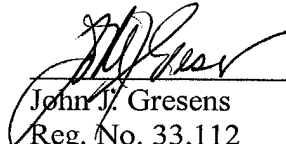
2003. Our check in the amount of \$820.00 ($\$930 - \$110 = \820) is enclosed to cover the required extension fee for large entity.

Please charge any additional fees or credit any overpayment to Merchant & Gould P.C.,
Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date: 4/17/03



John J. Gresens
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